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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,639	12/08/2003	Gary Sherrell	2230-1-3	2949
996	7590	12/05/2007		
GRAYBEAL, JACKSON, HALEY LLP			EXAMINER	
155 - 108TH AVENUE NE			MAI, TRI M	
SUITE 350				
BELLEVUE, WA 98004-5973			ART UNIT	PAPER NUMBER
			3781	
			MAIL DATE	DELIVERY MODE
			12/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	10/730,639	SHERRELL ET AL.	
	Examiner	Art Unit	
	Anthony D. Stashick	3781	

All participants (applicant, applicant's representative, PTO personnel):

(1) Anthony D. Stashick. (3) _____

(2) John Janeway. (4) _____

Date of Interview: 03 December 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____

Claim(s) discussed: 7.

Identification of prior art discussed: Latshaw '425, Liang '439, Kiose '135, Scoglio '496, Metten '274.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.


Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

ANTHONY D. STASHICK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Janeway discussed Latshaw and how it does not disclose the base being less than 40 degrees from the horizontal. The examiner directed Mr. Janeway's attention to col. 7, lines 10-33 where the wheels are described with respect to the support structure being in its retracted position (i.e. stored position) and how the wheels 51 act to stabilize the luggage in use and thereby can meet the less than 40 degree limitation. Discussions were had as to Seven Oars and how it was similar to Latshaw with similar issues. Metten, Scoglio and Kiose were briefly mentioned as failing to show the less than 40 degree angle. With respect to Liang, arguments were made as to whether the device of Liang is slidably adjustable or not. The examiner stated that it is because based on the structure shown in figure 2 of Liang, the only way the structure can be moved to the height shown in figure 7 is to be slid upward on the handle rod 71. The examiner also stated that if the structure of Liang were moved to a higher part of the handle to accommodate shorter people, i.e. children, people small in stature, Liang would meet the less than 40 degree limitation. Mr. Janeway disagrees saying that Liang is silent with respect to the "slidably adjustable" issue. No specific language was agreed to.